
The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Jeanne C. Johnston.

DIGEST

LaFleur (SB 447)

Present law (Act 31, 1991) requires the Department of Education to establish and maintain a database, pursuant to the State Board of Elementary and Secondary Education (BESE) policy, containing information voluntarily provided by high school students concerning their plans after leaving high school.

Present law provides that the following information be requested of every junior attending a public or approved nonpublic high school:

1. Name.
2. Residence and mailing address.
3. Age.
4. Name of high school being attended.
5. Anticipated date of graduation.
6. Intention to enroll in any of the following:
 - (a) Public four-year college or university, in or out of state.
 - (b) Private four-year college or university, in or out of state.
 - (c) Public vocational institute, in or out of state.
 - (d) Proprietary school.
 - (e) Other.
7. Program of interest.
8. Intention to undertake military service.
9. High school grade point average.
10. Intention to apply for need-based financial assistance.

Present law provides that database information shall be used by recipient institutions to advise students of opportunities available to them as well as for curriculum planning, budget preparation, housing needs forecasting, and other planning matters.

Present law requires that prior to requesting such information, students and their parents or guardians shall be advised of the existence of the database, the nature of the information to be requested, the use to which such information will be put, the access to the information which will be permitted, and the rights of the student and/or parent or guardian with regard to the information. Further provides that each student shall respond to such requests on a voluntary basis, and only with the written permission of their parent or guardian, if the student is under eighteen years of age. Also provides that a student shall not be required to respond to each requested item.

Present law provides that the following institutions may request and receive database information from the state Department of Education:

1. Any state public college or university.
2. Any member institution of the Louisiana Association of Independent Colleges and Universities.
3. Any public vocational institute in the state.
4. Any branch of the military services.
5. The Board of Regents.
6. Any public higher education management board.
7. The Louisiana Student Financial Assistance Commission.

Present law requires BESE to:

1. Adopt policies and rules needed to establish, maintain, and manage the required database.
2. Consult and coordinate with all institutions authorized to receive information in the database toward the goal of maximizing the usefulness of the database.

Present law authorizes BESE to:

1. Establish and collect fees from institutions authorized to and seeking to obtain information as necessary to cover the actual administrative cost of maintaining and managing the database.
2. Provide a procedure to request information from students in their senior year in order to update files.

Present law requires the Department of Education to:

Seek methods of requesting the information from students that minimize the number of contacts with students.

1. Notify all institutions which may access information and inform them fully of applicable policies and rules.
2. Provide for obtaining the authorization of parents or guardians of students under the age of eighteen.
3. Periodically create statistical or summary data reports containing no personally identifiable information which would be useful for general planning or research purposes.

Present law authorizes the Department of Education to:

1. Seek the advice or assistance of other state agencies and/or city and parish school boards.
2. Include requests for information in addition to those specified above if requested by an authorized recipient institution and approved by BESE.
3. Provide information to students concerning available postsecondary options, including admission requirements and costs.

Present law provides that statistical data or summary data which contains no personally identifiable information created by the department from information gathered shall be available in the same manner as for other public records.

Present law provides that all information collected, maintained, managed, requested, or received shall be confidential and shall not be a public record nor releasable in any form, except as provided by law. Further provides that recipient institutions may not forward, release, or share in any fashion with any other agency, institution, person, or entity items or combined database information that contains any personally identifiable information received by them from the database. Allows recipient institutions to use information identifying or attributable to a particular student only for internal institutional planning or to share information or opportunities directly with the student. Further allows recipient institutions to develop statistical information which contains no personally identifying information, which shall not be confidential and may be released.

Present law provides that each student who voluntarily submits information to the database shall be permitted to receive one copy of his information from the database at no cost to him. Provides that each student shall be permitted to notify the state department of any changes in the information concerning himself and such changes shall be made in the database. Further provides that each student, and the parent or guardian of any student under the age of eighteen, shall be permitted to notify the state department to delete the student's information from the database and such deletion shall be made. Requires that each student from whom information is requested and received, and the parent or guardian of such a student under the age of eighteen,

shall be notified of the provisions of present law.

Present law provides that implementation of the student database shall be mandatory provided funds are made available for this purpose.

Proposed law repeals present law.

Effective August 15, 2010.

(Repeals R.S. 17:331-334.1)